



MANUAL OF PATENT EXAMINING PROCEDURE

DAC#

PTO/SB/64 (2-98)
Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: SAMUEL ROSE, M.D.

Application No.: 08/782,590

Group Art Unit: 1642

Filed: JANUARY 13, 1997

Examiner: SUSAN UNGAR, Ph.D.

Title: A METHOD AND COMPOSITION FOR TREATING CANCER BY CONVERTING SOLUBLE RADIOACTIVE TOXIC AGENTS INTO INSOLUBLE RADIOACTIVE TOXIC PRECIPITATES VIA THE ACTION OF NON-MAMMALIAN ENZYMES BOUND TO THE NON-ENDOCYTOSING RECEPTORS OF TARGET AGENTS

Attention: Office of Petitions

Assistant Commissioner for Patents

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petition Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to the Office action mailed on NOVEMBER 25, 1998, which set a 3 month/day period for reply. The abandonment date of this application is MAY 26, 1999 (i.e., the day after the expiration date of the period set for reply plus any extensions of time obtained therefor).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

1. Petition fee

- ☐ Small entity - fee \$ 605 (37 CFR 1.17(m))
- ☐ Small entity statement enclosed herewith.
- ☒ Small entity statement previously filed.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of CONTINUED PATENT APPLICATION (CPA) (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

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605.00 DP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TB820201085 US

PTO/SB/64 (2-88)

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Where a petition under 37 CFR 1.137(b) is filed: NOTICE OF ABANDONMENT, MAILED AUGUST 17, 1999
 (1) more than three months from the date the applicant is first notified that the application is abandoned, explain (on an attached sheet) in detail the cause of the delay in filing the petition;
 (2) more than one year from the date of abandonment, explain (on an attached sheet) in detail how the delay in discovering the abandoned status occurred and indicate the date that applicant first became aware of the date of abandonment.

NOVEMBER 16, 1999
 Date

John Q. McQuillan
 Signature

Telephone
 Number: (212) 599-2245/46

JOHN Q. McQUILLAN

Typed or printed name

261 MADISON AVENUE, 12th FLOOR

NEW YORK, NEW YORK 10016-2391
 Address

Enclosures: ☒ Reply

☒ Fee Payment

☐ Terminal Disclaimer Form

☐ Small Entity Status Form

☐ _____

By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

Nov. 16, 1999
 Date

John Q. McQuillan
 Signature

JOHN Q. McQUILLAN
 Typed or printed name of person signing Certificate